

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Plaintiff,

v.

PHILIP ALVIN MYERS,

Defendant.

) **INDICTMENT** *CR 11-27 SRN/JSM*  
)  
) (18 U.S.C. § 922(g)(1))  
) (18 U.S.C. § 924(c)(1)(A))  
) (18 U.S.C. § 924(d)(1))  
) (18 U.S.C. § 1951)  
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)  
)

THE UNITED STATES GRAND JURY CHARGES THAT:

**COUNT 1**

(Interference with Commerce by Robbery)

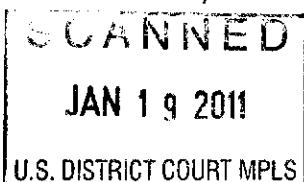
1. At all times material to this Indictment the Noble Mobil gas station and convenience store located at 9500 Noble Parkway in Brooklyn Park, Minnesota, was engaged in the retail sale of gasoline, automotive products, groceries, and other household items, and was a business engaged in and affecting interstate commerce.

2. On or about January 5, 2011, in the State and District of Minnesota, the defendant,

**PHILIP ALVIN MYERS,**

did unlawfully obstruct, delay, and affect commerce, and attempt to do so, by means of robbery in that the defendant did unlawfully take approximately \$100 in cash belonging to the Noble Mobil gas station from a victim employee, against the employee's will, by means of actual and threatened force, violence, and fear of injury to the victim's person, in violation of Title 18, United States

Code, Section 1951.



FILED **JAN 19 2011**  
RICHARD D. SLETTEN  
JUDGMENT ENTD \_\_\_\_\_  
DEPUTY CLERK \_\_\_\_\_

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**COUNT 2**

(Possession of a Firearm in Furtherance  
of a Crime of Violence)

On or about January 5, 2011, in the State and District of  
Minnesota, the defendant,

**PHILIP ALVIN MYERS,**

knowingly possessed a firearm during and in relation to a crime of  
violence for which he may be prosecuted in a court of the United  
States, that is the crime of Interference with Commerce by Robbery  
as charged in Count 1, in violation of Title 18, United States  
Code, Section 924(c)(1)(A).

**COUNT 3**

(Felon in Possession of a Firearm)

On or about January 5, 2011, in the State and District of  
Minnesota the defendant,

**PHILIP ALVIN MYERS,**

having previously been convicted of a crime punishable by  
imprisonment for a term exceeding one year, including the  
following: Second Degree Burglary (2009), and Second Degree  
Burglary (2004), thereafter knowingly possessed, in and affecting  
interstate commerce, a firearm, namely a Sig Sauer P229 .40 caliber  
semi-automatic handgun, in violation of Title 18, United States  
Code, Sections 922(g)(1) and 924(a)(2).

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**FORFEITURE ALLEGATIONS**

Counts 1 through 3 of this Indictment are hereby realleged and incorporated as if fully set forth herein, for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c).

As a result of the foregoing offenses, the defendant,

**PHILIP ALVIN MYERS,**

shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1), any firearm with accessories or any ammunition involved in or used in any knowing violation of sections 922(g)(1) and 924(c)(1)(A), including a Sig Sauer P229 .40 caliber semi-automatic handgun, serial number AF11775.

All in violation of Title 18, United States Code, Sections 922(g)(1), 924(d)(1), and 924(e)(1); Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 28, United States Code, Section 2461(c).

A TRUE BILL

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UNITED STATES ATTORNEY

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FOREPERSON